

1897-019 Chancery Causes: J. T. Giles & vs. Mary Rasnick, widows &
Lee Co.

Merriman, Flanary, Vencil

1 Plat

CA-Debt
T-Property

-Deed

1 Virginia.

2 To the honorable J. S. K. Morrison Judge of the Circuit
3 Court of Lee County Virginia.

4 Humbly Complaining your orators J. T. Giles & W. B. Merriman
5 citizens of said county and State, and creditors of J. J. Rasnick
6 deceased, who sue on behalf of themselves and all other
7 creditors of the said J. J. Rasnick decd, who shall come in
8 take part in and share the costs of this suit, would respectfully
9 represent and shew unto your honor, that the said J. J. Rasnick
10 on the 15th day of January 1891, together with your orator,
11 J. T. Giles, his security, executed their writing obligatory, to
12 William Jayne, Administrator of the estate of C. L. Owens
13 deceased, whereby they bound themselves to pay to said Jayne
14 sum as aforesaid, twelve months after the date of said
15 writing obligatory, the sum of \$56.10, and waived their
16 homestead exemption as to said debt, which writing obligat
17 ion is herewith filed marked "A" and pray
18 as part hereof. Afterwards on the day of
19 the said J. J. Rasnick departed this life, without having paid
20 said debt, and your orator as his security, paid the same to
21 said Jayne, sum as aforesaid, and your orator, W. B.
22 Merriman, would respectfully represent and shew unto your
23 honor, that the said J. J. Rasnick on the 25th day of March
24 1890, together with H. J. Geary & your said orator his securities,
25 executed their writing obligatory to William Jayne, whereby
26 they bound themselves to pay to said Jayne, one day after the
27 date thereof, the sum of \$100.00, and waived their homestead
28 exemptions as to said debt, which writing obligatory is here
29 with filed marked "B", and prayed to be considered as part
30 hereof, and afterwards to wit on the day of 189
31 the said J. J. Rasnick departed this life, without having paid
32 said debt, and your ^{said} orator, as one of his securities, on the 24th

1 day of Nov^r 1892, paid said debt to said Payne. And your
2 orators are advised that by the payment of said notes by
3 them respectively to the sumner thereof, they respectively be-
4 came substituted to the rights of the original holder,
5 or obligee, as against the estate of said Rasnick decd, and
6 entitled to demand and compel payment thereof to them
7 respectively of the amounts of said notes.

8 And your orators further shew unto your honor that the
9 said J. J. Rasnick in his lifetime, and at the time of his death,
10 ^{deceased} was possessed of a valuable real and personal estate in Hancock
11 County, State of Tennessee, ^{and in this, Lee County Va.} his real estate consisting of _____ acres
12 lying and being in said County of Hancock State of Tennessee, in
13 part, and partly in Lee County Virginia, the tract being situated
14 on both sides of the line between said States; that letters
15 of administration on his personal estate, in the State of Ten-
16 nessee, were granted to one J. C. Gillen.

17 Administration on his personal estate in Va, was _____ in honor
18 at the _____ term 1891, committed to C. E. Flanery Sheriff
19 of the County of Lee; that the said Gillen in course
20 of administration, in the said State of Tennessee, paid on
21 said two notes, to your orators respectively, to the extent of
22 ^{about} 50 per cent of the amount thereof, being as much, as claimed
23 by him, as the personal estate in his hands would pay, and
24 which payments are credited on said notes, and the residue
25 of said notes is still due and unpaid to your orators respectively.
26 The said Flanery has not settled his administration account
27 That part of the said tract of land lying in this County, contains
28 _____ acres, and adjoins the lands of Wm Vineck & others.

29 The said decedent at the time of his death, probably owned a
30 considerable amount of debts, ^{+ those yet unpaid probably} amounting in the aggregate to
31 a sum in excess of the amount of his personal ^{estate} that came to the
32 hands of his Administrator in this County, and resort will have to be

1 had to the real estate in this County for payment thereof.
2 The said decedent left surviving him a widow, Nancy
3 Rasnick, and the following his children and heirs at law
4 to wit: - Wm Rasnick, Bradley Rasnick, Alexander Rasnick,
5 Brit Rasnick, Minnie Rasnick, Kitty Rasnick, Otta Rasnick,
6 Rosa Rasnick who are ~~are~~ nonresidents, and the said child
7 all infants. The object therefore of this suit is to marshal
8 the assets both real and personal of said estate, convene the
9 creditors of said estate, and ascertain the indebtedness thereof
10 and the priorities, if any; to settle the account of the said C. E.
11 Flavery administrator of said estate, and ascertain the fund
12 in his hands to be applied to the payment of said debts, and
13 who is entitled to the same, and if necessary to have so much
14 of the real estate sold, subject to the widow's dower, as
15 may be necessary to pay said indebtedness and, if neces-
16 sary, to have dower assigned to the said widow
17 of the tract of land that lies in Va. but the
18 allege will not be necessary or proper, because ~~in~~ part
19 of the tract on which the dwelling and other improvements
20 are situated is in Tenn., and the dower of the widow
21 should, as they allege be assigned there, and this they ask
22 shall be done, and that portion of the tract in Va. be sold
23 free from dower. In consideration thereof they pray that the
24 said Nancy Rasnick, ^{widow, and} Wm Rasnick, Bradley Rasnick, Alexander
25 Rasnick, Brit Rasnick, Minnie Rasnick, Kitty Rasnick, Otta
26 Rasnick + Rosa Rasnick ^{+ C. E. Flavery} ~~he~~ ^{Administrator of J. J. Rasnick decd.} be made the parties
27 defendants to this bill and answer the same, but they need
28 not do so on oath, that a guardian ad litem be appointed &
29 answer for the said infants, that process issue directed &c.,
30 that all proper orders and accounts be directed and taken; that
31 the creditors of the said J. J. Rasnick be convened before a
32 Commissioner of this Court, and the amount of their debts & priorities

To the honorable W. T. Miller Judge of the
circuit Court of Lee County Virginia.
Your petitioner J. T. Giles would respectfully
represent and shew unto your honor,
that at the February term 1896, of the
County Court of said county, E. W. R. Ewing
Commissioner in the Chancery cause of
your petitioner & W. B. Merriman plaintiffs
against Nancy Rasmick et als defendants
pending in your honor's Court, sold the
land in said cause mentioned and decreed
to be sold for the sum of ~~\$52.00~~ ^{in the absence of your petitioner}, and the
said W. B. Merriman becoming the purchaser
thereof. This sum only being sufficient to
pay the costs of suit and \$2.00 in excess
thereof; and being less than the said land
is worth. Your petitioner proposes an upset
bid on said land, and will bind himself
on a resale thereof to make the same bring
the sum of seventy five dollars. Your petitioner
has executed & presents with this his petition
a bond with security in the sum of Two
hundred dollars conditioned, to make said
land on a resale, bring the said sum of
\$75.00 and to secure the payment thereof.
And your petitioner will ever pray &c.

J. T. Giles.

By Orr Blankenship Ewing, his
Counsel.

J. T. Giles et al

vs { Petition for Writ
3 lib

Nancy Rasmick et al.

Virginia:

In the circuit Court of Lee County.

At 1st July Rules, 1894.

The answer of Wm Rasnick, Bradley Rasnick, Alexander Rasnick, Bert Rasnick, Minnie Rasnick, Kitty Rasnick, Etta Rasnick and Rosa Rasnick, infants, by Wm A. Orr their Guardian ad litem to a bill in equity filed ⁱⁿ this Court against these ~~respondents~~ ^{wards} and others by J. T. Giles and W. B. Merriam.

For answer the Guardian ad litem says that he answers ^{and} all proper exceptions to Complainants bill; that he has never seen either of his wards and that he knows of no defense that ~~he~~ can make to said bill; that he knows nothing about the matters therein stated and therefore neither admits nor denies any allegations therein stated; that in as much as his wards are young and out of the State of Virginia he asks that Complainants be held to strict ~~proof~~ ^{proof} of all they charge. Having fully answered your respondent begs to be hence dismissed with his costs.

Wm A. Orr Guardian
ad litem.

Nancy Rasnick et al
advs. Ans. G. A. S.

J. L. Giles et al
Filed Feb by the 3rd 1894
A. B. Munsey Clerk

Sworn to before me this
the 3rd day of February
1894 A. B. Munsey Clerk

Fee \$5⁰⁰
Paid in full.

J. P. Giles et al.
vs. } In Equity.
Nancy Rasmick et al.

This cause came on again
this day to be heard upon the fa-
fars formerly read, and the
report of special commissioner
E. W. R. Ewing, filed March 10, 1897,
together with the deed executed
by him as such commissioner
to the purchasers J. B. Rasmick, G. C. Rasmick,
and was argued by counsel;
on consideration whereof, there
being no exceptions to said report,
it is ordered, adjudged and de-
creed that the same be and is
hereby confirmed; and the said deed
having been seen and inspected by
the court, it is further ordered
that upon payment to the clerk of
this court of \$3⁰⁰ for the benefit of
said commissioner, he deliver the
said deed to said purchasers; exe-
cutions may issue for the said
sum of \$3⁰⁰. Said commissioner
will report disbursements of costs
yet in his hands as shown by
former report, and the cause is
continued.

W. S. Rasmick

J. T. Giles et al.
v. } Decree Conf. Dec.
Honey Romain et al.

Eu. C. C. C. p. 164

Entered this

Month 14, 1887

J.T.Giles et als.

vs.

Nancy Rasnick et als.

This cause came on again this day to be heard upon the papers formerly read in the cause, the report of E.W.R.Ewing filed in said cause on the 22nd day of May 1895 and another report of said Ewing commissioner filed on the 2nd day of March 1897, and was argued by counsel, and it appearing from the report of Commissioner Ewing ~~XXX~~ filed on the 22nd day of May 1895, that J.T.Giles had become the purchaser of the land in the bill and proceedings mention at the price of \$75. and that said purchaser had complied with the terms of sale, and it further appearing from said Commissioner's report filed on the 2nd day of March 1897, that the said Giles had transferred his interest in said purchase of said land to David Banner and H.T.Ferguson, who had paid therefor, and it now being admitted by a written paper filed in said cause, signed by David Banner and H.T.Ferguson, that they had paid for said land for J.B.Rasnick, A.J.Rasnick, G.C.Rasnick and W.L.Rasnick, and that ~~he~~ desired the deed for said land to be made to them, and there ~~be~~ having been no exceptions filed to either of said reports, it is adjudged ordered and decreed that said reports and the sale therein reported be and they are hereby confirmed, and commissioner Ewing is directed to ~~pay~~ pay out to those entitled the money shown by his reports, to have been received by him, but in making said payments said Ewing is to have credit for any sums heretofore paid by him. And it further appearing to the court that the said Rasnicks above named are now entitled to a deed for said land, it is adjudged ordered and decreed that E.W.R.Ewing who is appointed a special Commissioner for the purpose to convey the land sold by him to the said J.B.Rasnick, A.J.Rasnick, G.C.Rasnick and W.L.Rasnick, by deed with covenants of special warranty, he will report his action and the payments made by him in making the same, and the title to this land and the same is confirmed.

J. L. Williams et al.

vs. J. Deane

Nancy Russell et al.

Eu. C.D.B. p. 530.

Under this Name

W. J. M.

March 2nd 1877

J. T. Giles & W. B. Meriman Plffs }
against } In Chancery.
Nancy Rasnick et als } Defts

This cause came on again to be heard upon the
papers formerly read in the cause, and the
report of Special Commissioner, E. W. R. Ewing,
of the sale of the land in the bill mentioned,
filed in the cause February 22nd 1895; and
the petition of said J. T. Giles, proposing an upset
bid on said land, and his bond with said peti-
tion, and was argued by counsel. On consid-
eration thereof said petition is ordered to be
filed in the cause, and, pursuant to the prayer
of said petition, it is adjudged, ordered and
decreed that the said sale by Comr Ewing
be and is hereby set aside and a resale of
said land is ordered. And it is further ordered
that said Commissioner, Ewing, do proceed
again to sell said land at the place, upon the
terms and in the manner heretofore directed,
and after advertising the time, terms and
place of sale, as in the decree in said cause
heretofore directed, and upon said resale of
said land, said Commissioner will start the
same at the upset bid of said J. T. Giles, to wit:
the sum of seventy five dollars, and will
sell the same to the highest bidder, should
there be any bid or bids in excess of said sum.
Said Commissioner will report his action to Court.

J. L. Giles & H. B. Merriman

vs Decree No 3.

Taney Bassick et al.

Q. B.

Page 133-

Enter this decree

17 Jan
Nov 7th 1895-

Continued.
of this Court, and the cause is

J. L. Giles & W. B. Merriman

Decree for acct.

B —
- Nancy Trimick et al.

EOB Page 570

Mich 10 1894

Enter this decree
H. L. K. M.

Jan 10 1894

J. T. Giles & W. B. Merriam
against
Nancy Rasnick et als.

Plffs
Defts

In Chancery.

This cause came on again to be heard upon the
papers formerly read in the cause, and the reports
of ^{Mr} A Orr Commissioner filed in the cause March
26th 1894, and the report of C. C. Elliott,
L. B. Duillen & J. F. Header Commissioners hereto-
fore appointed to assign to Nancy Rasnick, widow
of J. J. Rasnick deceased, her dower in the land
in the bill mentioned, and was argued by
counsel. On consideration thereof, and said
reports being unexcepted to, it is adjudged, ordered
and decreed that they each be, and are hereby, con-
firmed and that the creditors of the said J. J.
Rasnick deceased, mentioned in said reports of
^{defendants} ^{Mr} A Orr Commissioner, recover against, Charles
E. Flannery Administrator of the estate of said
J. J. Rasnick deceased, the sums shown by said
report to be due them respectively, and that the
plaintiffs recover of the said administrator the
costs of this suit, to be levied of the goods and
chattels of the said decedent in the hands of said
~~administrator to be administered~~, and if not paid
within 30 days from the adjournment of this
court, and as it is shown in the cause that there
are no assets in the hands of said Admin., it
is further adjudged, ordered and decreed that
E. W. R. Ewing, who is appointed a Commissioner
for the purpose, do proceed to sell, at the front door

of the Court house of this County, on some Court day, to the highest bidder on a credit of ~~ten~~^{one} and ~~eighteen~~^{of} months time, the land in the bill mentioned, Subject to the dower of the said widow, or a sufficiency thereof to pay the said debts reported by said Commissioner Orr and the costs of this suit and expense of sale, except the said costs of suit and expense of sale will be required to be paid in hand, and for the deferred payments bonds with security will be required of the purchaser bearing interest from date; and the report of said Commissioners assigning dower to said widow, Nancy Rasmick, will be delivered by the Clerk of this Court to the Clerk of the County Court of this County for recordation. Said Commissioner E. W. R. Ewing before acting under this decree, will execute bond before the Clerk of this Court in the sum of \$250 00 Conditioned according to law, and he will report his action under this decree to some future term of this Court. And the Cause is Continued.

J. T. Giles et al

vs Deere to 2.

Verny Kasnick et al.

Entered in

Order Chancery

Book Page 1

Enter this decree.

M. J. M.

Nov 14 1894.

J. T. Giles & W. B. Merriman Plffs }
vs } In Chancery.
Nancy Rasnick et als. Defts }

This Cause came on again to be heard upon the papers formerly read in the cause, and the report of ^{Mr} A Orr Commissioner filed in the Cause March 26th 1894. to which there are no exceptions, and was argued by Counsel. On consideration thereof said report is confirmed, and it is adjudged, ordered and decreed that C. C. Elliott, L. B. Twillen and J. F. Haden, who are appointed Commissioners for the purpose, do lay off and assign to Nancy Rasnick, widow of J. J. Rasnick deceased, her dower in the land owned by him at the time of his death, in this County and State, and in said report mentioned, and they will report their action to the next term of this Court. And it being suggested to the Court that there are other debts against the estate of said J. J. Rasnick deceased not reported by said Comr Orr, it is ordered that he ascertain and report any other outstanding debts against said estate and their priorities if any. And the Cause is continued.

J. C. Giles & H. B. Merriam

vs { Decree to 2.

Nancy Kasnick et als

E. C. & L. C. Co. - Book P. 33

Enter this decree.

June 12 1894.

Virginia

At a circuit Court continued
and held for Lee County at Court-house
thereof on Thursday June the 4th 1894.

J. T. Giles and W. B. Merriman Plffs
against
Nancy Rasnick et als Defs } In Chancery

This cause came on again to be heard
upon the papers formerly read in the cause, and
the report of Mr. A. Orr Commissioner filed in the
(cause) March the 26th 1894. To which there are no exceptions
and was argued by counsel. On consideration
thereof said report is confirmed, and it is ad-
judged ordered, and decreed that L. B. Elliott
L. B. Quillen and J. F. Headen who are ap-
pointed Commissioners for the purpose do
lay off and assign to Nancy Rasnick widow
of J. J. Rasnick deceased, her dower in the
land owned by him at the time of his
death, in this County and State, and in
said report mentioned, and they will report
their action to the next term of this court.
And it being suggested to the court that there
are other debts against the Estate of said J. J.
Rasnick deceased not reported by said
Comm. Orr. it is ordered that he ascertain
and report any other outstanding debts
against said Estate and their priorities

J. L. Giles et al
vs } Copy Decree
Nancy Rasnick
To Nov Term 1894

Entered
at the
Clerk's Office
of the
County of
Harris
this
1st day of
November
1894
at
Houston
Texas

Clerks fee for Copies \$1.00

if any. And this cause is continued
at Copy Note
A. B. Munroe, Clerk.

Virginia

At a circuit Court continued
and held for Lee county at the Court-
house thereof on ~~Saturday~~ Thursday
June the 14th 1894

J. T. Giles and W. B. Merriman Plffs

against

Nancy Rasnick et al

Defts

In Chancery

This Cause came on again to be
heard upon the papers formerly read in the
Cause and the report of W^m A Orr Commis-
sioner filed in the Cause March the 26th 1894
to which there are no exceptions and was
argued by counsel. On Consideration thereof
said report is confirmed, and it is adjudged,
Ordered, and decreed that C C Elliott, L B
Quillers and J F Headen who are appointed
Commissioners for the purpose, do lay off
and assign to Nancy Rasnick widow of
J. J. Rasnick deceased, her dower in the land
owned by him at the time of his death, in
this county and State, and in said report
mentioned, and they will report their action to
the next term of this Court. And it being
suggested to the Court that there are other debts
against the Estate of said J. J. Rasnick deceased
not reported by said Commissioner. Orr it
is ordered that he ascertain and report any

other outstanding debts against said estate and their priorities if any. And this Cause is continued,

A Copy Teste

A. B. Munsey Clerk

J. J. Giles et al
vs } Copy of Decree
Nancy Ransom et al
November Term 1894

Clerk fees for copies \$1.00

Virginia: In the Circuit Court of Lee County:
J. T. Giles & W. B. Merriam

vs

J. T. Giles & W. B. Merriam
Nancy Rasmick et al. In Chancery

The deposition of J. T. Giles taken in the above styled Cause by consent of Complainants and the Guardian ad litem for the infand defendants, which when taken is intended to be read as evidence for Complainants in the matter of account pending in said Cause before Hon. A. Ott, Clerk.

J. T. Giles a witness of lawful age being duly sworn deposes and says that he is acquainted with the land in the bill mentioned; that there is about 10 or 12 acres of cleared land - quality is poor; that a fair rental value per annum is in witnesses opinion not more than \$2⁰⁰. Witness thinks that the land mentioned in the bill does not exceed 25 or 30 acres, if that.

J. T. Giles
Jonesville, Lee Co., Va.

The above deposition of J. T. Giles was taken, subscribed and sworn to at my Office in Jonesville, Va on the 19th day of March, 1894.

Hon. A. Ott, Clerk

lit. 509
The deposition of Nancy E. Rasmick a witness of lawful age being duly sworn deposes and

and says: That she is ~~forty~~ ^{forty one} years
of age; that she is the widow of J. J. Rasnick,
deceased; that the land named in the bill
contains about ~~about~~ 25 or 30 acres of
which there is about 12 acres cleared;
that it would rent for about 12 \$ per
annum; that there is about 150 acres
on the Tenn side of the state line on
which the buildings and improvements
are; that said down has ever been
assigned her either in ~~deed~~ ^{deed}, that
she claims down in the land in
de in kind ~~part of~~ ^{part of} ~~as to~~ ^{as to} ~~the~~ ^{the} ~~land~~ ^{land}

wit: 50 The deposition of Wm D. Vincil another
witness of lawful being duly sworn deposes
and says: That he is acquainted with
the land in the bill mentioned; that he
thinks there is about 20 or 25 acres of it
& that there is about 12 acres cleared
and that it would rent for about
\$12 ^{per} ~~per~~ ^{annum}; that all the
improvements are on the said land
and that there is about 150 acres
on the Tenn side.

Wm D. Vincil

The foregoing depositions of ^{Mark} Harvey Rasnick
and Wm D. Vincil were duly taken, sub-
scribed and sworn to before me this
March 24th 1894.

Wm A. Orr, Clerk.

J. J. Miles et al
vs Depositions

Nancy Rasmick et al

"O"

Virginia:

In the Circuit Court of Lu County.

J. T. Liles ^{vs} H. B. Merriam

vs

Nancy Rasnick et al

} In Chancery.

To the Hon. H. L. C. Merri-
son, Judge of said Court.

Your undersigned Com-
missioner begs leave to report that he pro-
ceeded to discharge the duties required of him,
at his Office in Jonesville, Va, on the 24th
day of March, 1894. That before doing so
he gave actual notice, and posted written
notice at the front door of the Court-house
of Lu County, Va, of the time and place and
purpose of his sitting.

C. E. Flannery, Shff, & as such, Admin
of the estate of J. J. Rasnick, dec'd, appeared before
your Commissioner and stated that no estate
had come into his hands and that he
could not learn of any one that there
is estate that ought to be taken charge
of by him.

The depositions of witnesses here filed
marked "O" show that J. J. Rasnick's Estate
owns about twenty five acres of thin
land in this County, and the records on
file in the Clerk's Office of the County Court
show about as much. And, said
depositions also prove that Nancy Rasnick
widow of J. J. Rasnick, is entitled to dower in
said land, and that her age is now
forty one years, and that dower has
never been assigned her. The

Claims down in kind, and the land will have to be sold subject to the same - unless the Court should be of opinion that said land should be sold free from dower and that she take the present value therefor in money. Should the Court take the last named view of the matter the widow will be entitled to $\$22\frac{40}{100}$ out of each $\$100$ of the price of said land. The rental value of the land is shown to be $\$12.00$ per annum. So a sale will have to be decreed.

There is a judgment in this Court, not barred by limitation, and not paid, in favor of Morgan and Armstrong against O. I. Spencer and J. J. Rasmick, for $\$100.00$ with interest thereon from March 8 - 1890 and $\$8.61$ Costs. Judge Morgan informs me that O. I. Spencer is the principle in this matter and that J. J. Rasmick is security. It further appears from a suit of Haynes, Thomson & Co vs O. I. Spencer now pending on the Chancery docket - of this Court - that this judgment has been reported in said Chancery cause and that the land of O. I. Spencer has been sold for a sufficient amount to pay all that is reported against it. Though, no payment on this judgment has been actually made. But under the circumstances it is not all probable that the estate of J. J. Rasmick will

be called upon to pay any part of this judgment.

Your Honor finds by Calculation that there is due the plaintiff J. J. Giles, as of this date the sum of \$25.³³ —

And that there is due the plaintiff W. B. Murrinan as of this date the sum of \$57.11.

There are all the claims laid before me or of which I have any knowledge — and the claims of the plaintiffs are of equal dignity, and the entire indebtedness of said estate, if we estimate the costs of this suit at \$40.⁰⁰ is \$122.⁴⁴

Respectfully Submitted,

~~Wm. A. Orr~~ ^{Wm. A. Orr} Clerk

Your Commissioner further finds that J. J. Rasmick for medical attention, and Dr. W. H. McNeil, the sum of \$26.00 as of Sept 20th. 1891.

Respectfully Submitted,

~~Wm. A. Orr~~ ^{Wm. A. Orr}

Special Commissioner

J. T. Giles et al
vs } Leonor Com A. Orr's Report

Nancy Remick et al

Exhibit "Q" filed.

Filed March the 26th 1894
A B Munsey
Cler

Witnesses fees:

Nancy Remick - - - 50¢

Wm J. Veneill - - - 50¢

Commissioners fee \$5.00

Cont. \$6.00
Wm A. Orr Comr.

Virginia:

In the Circuit Court of Lee County
J. J. Miles + C. B. Morrison

vs

J. J. Resnick

Nancy Resnick et al

To the Hon. W. S. Miller, Judge of said Court:
Your undersigned Commissioner begs leave to
report, that he has proceeded to discharge the duties
required of him, at his Office in Joursville, Va
on the 24th day of August, 1874, and on suc-
ceeding days, after having given all parties
written and posted notice, a copy of which
is here filed marked "A", and a copy of
the record under which your Commissioner
acted is here filed marked "B".

Your Commissioner finds the additional
debt referred to in said decree to be
12^{cts}

It balance on a note signed by J. J. Res-
nick, and due to J. J. Miles, of \$2.62 as
of Sept 17th 1874. Marked "A".

And

It balance on a note also signed by
J. J. Resnick and executed to J. J. Miles
and by him assigned to J. J. Miles of \$11.74
as of Sept 16th 1873, which note is here
filed marked "B".

Respectfully Submitted,

Wm. A. Orr, Clerk

* 3rd. A decree of Circuit Court of Lee County Va
in favor of David Brunner for costs for
\$28.78

J. T. Giles et al

D.S. } Leon's Orr's 2nd Report-

Nancy Rasnick et al

Filed September the 19th
1844 J. B. Munsey
Clerk

Leon's fee .75¢

To the Honorable W.T. Miller, Judge of the Circuit court of Lee
Your commissioner in the case of T.J. Giles, et al vs.
Nancy Rasnick would respectfully report that pursuant to the
decree of your Honor's at the Nov. term of the court, after
the required notice he proceeded to offer for sale on the
terms specified in the said decree the land in the bill men-
tioned. At said time W.B. Merriman bid the sum of \$52.00 for
the entire tract subject to the widow's dower. This being the
highest and best bid the said land was knocked down to him.
He has complied with the terms of the sale and your commis-
sioner therefore recommends that the sale be confirmed. This
sale was made at the front door of the court house at the
February term of the county court, this being the 18 day of
said month. As will be seen by an inspection of the papers, the
costs in this case exclusive of commission, which was not
charged, amounted to \$50.00, which amount was paid in cash as
required, and notes with good security executed for rem.

Respectfully submitted,

E. W. R. Ewing,

Special Commissioner.

H. J. Giles et al.

v. J. Rapt. of S. S.

Nancy Rosnick.

A. B. Muncey, Clerk

J.T.Giles et al

vs.

Nancy Rasnick et al.

In the above cause, your commissioner begs to report that pursuant to the decree rendered in this cause at the March term, 1895, of your Honor's court, on the ~~20~~²¹th day of May, 1895, that being the first day of the May county court, he exposed for sale the land in the bill and proceedings mentioned, and on the terms in the decree set out, to wit: costs of suit cash in hand, and balance on one and two years, interest from date. On this exposition of the said land, J.T.Giles, in accordance ~~with~~^{with} his upset bid filed in this cause at the said last term of this court bid the sum of \$75.00, and this being the highest and best bid, the same was knocked down to the said Giles. He has complied with the requirements of the decree by paying the costs of suit down, and by executing his bonds ~~of~~^{for} the remainder, payable in one and two years, with ~~interest~~^{interest from date} ~~with~~ as security, which your commissioner regards as ample.

Your commissioner therefore recommends that this sale be confirmed to the said Giles, that he be directed to collect the said bonds when they become due, and pay the same to those entitle thereto, and that he be directed to pay the costs to those to whom it is due.

~~And he will report his action to a future term of this court, and the cause is continued.~~

Respectfully submitted.

E. T. Giles

Commissioner.

L. T. Green et al

vs. J. and R. Taylor

Money Received

Filed May 22/88.
A. B. Murray Clerk

To the Hon. W. T. Miller,

Judge Circuit Court of Ill. Co.:

Your undersigned special commissioner, begs to report that pursuant to decree rendered at the term of your Honor's court on the day of March, 1897, in the case of J. T. Giles et al vs. Nancy Roynish et al, deeding a deed to the ~~beneficial~~ purchasers of the land heretofore sold and reported by your commissioner, he has drawn and acknowledged the said deed, pursuant to the directions of said decree, and herewith files the same marked "D" for your Honor's inspection and approval.

All of which is respectfully submitted,

E. W. R. Emery,
Sp. Comm.

J.T. Giles et al.
vs. { Report of Road
Money Roswell et al.
Comm. Envy.

Filed March 10th 1897
A.B. Munsey, Clerk

J.T.Giles et al.

v s.

Nancy Rasnick et al.

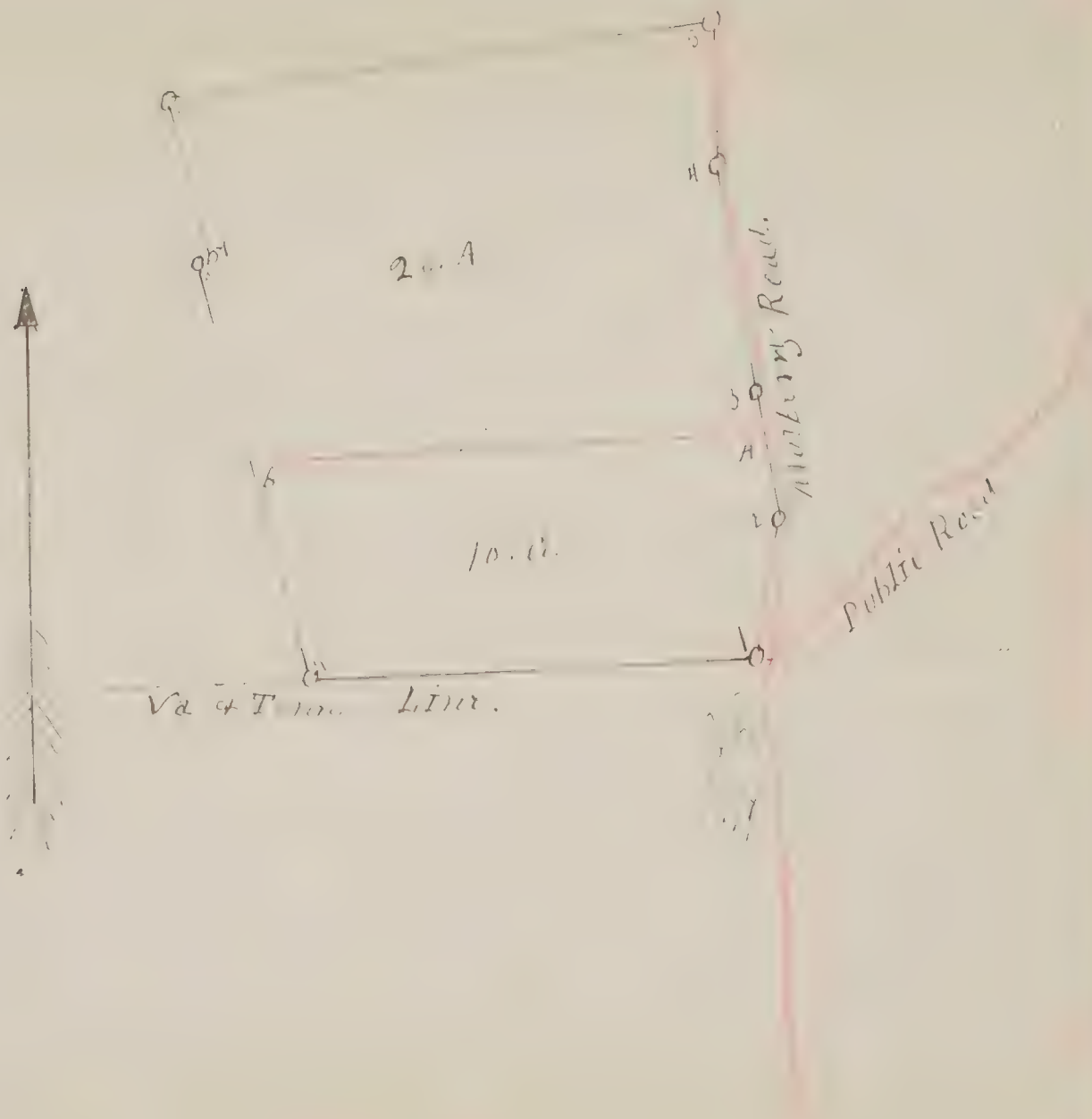
Your undersigned special commissioner begs to report that since the filing of his last report on the ~~22~~²³ day of *May*, 1895, he was directed by J.T.Giles, the purchaser at the sale in said reported mentioned, to let D.~~J.~~^{J.} Banner and H.T.Fergusson have his bid. These men complied with the terms of sale in place of Mr. Giles, paying the purchase price as in the decree of sale required. There was some private arrangement of ~~some~~ some nature between the parties, which was not on that day completed, and your commissioner was requested not to ask this Court to order a deed to any of the parties until further notice, and for this reason his report was delayed for a time, during which the papers were lost, and have only recently been found. Your commissioner notices that some of his receipts of disbursement are gone, one which he remembers in particular, a receipt from W.B.Merriman, but just for what amount he does not remember, and which receipt was filed in the papers. Your commissioner ^{dis}~~disbursed~~ most, if not all, the funds which were in his hands, but his recollection is that there was a small balance left in his hands which was going to some of the commissioners who assigned dower. But unless all the receipts can be found, he does not know exactly how the matter stands. He asks your Honor not to decree any further payments on his part until he has a reasonable time in which to get duplicate receipts and otherwise ascertain payments which he has made.

All of which is respectfully submitted.

E. W. R. Ewing
Special Commissioner.

J. T. Gilchrist et al.
v. } Sup't Report.
Nancy Kammick et al.

Filed March 2nd 1897
A. B. Munsey Clerk



West

7th 8th

Special Commissioners Notice
J. J. Rasmick et al

Nancy Rasmick et al

Pursuant to the term of a decree entered in the above styled Cause by the Circuit Court of Lee County, Va, on the 14th day of June, 1874, I will execute the requirements of said decree at my Office in Leesville, Va, on the 24th day of August, 1874.

Persons having debts against J. J. Rasmick, deceased, should bring them before me.

This August 2nd 1874.

J. W. A. Orr, Sr, Comr.

I accept legal fee for the plf's
this August 2nd 1874.

James L. Orr, Jr, for plf

A copy of the notice is printed

J. W. A. Orr, Sr, Comr.

1874 Files et al
vs } County Notice

May Rice et al
Aug 24~1894

"a"

Wm. Rice

Wm. A. Off. Sec. County.

Virginia

At a circuit Court continued
and held for Lee County at the Court
house thereof on Thursday June the 14th
1894

J. T. Giles & W. B. Merriman Plffs
against
Nancy Rasnick et als Defs } In Chancery

This Cause came on again to be heard
upon the papers formerly read in the Cause
and the report of Wm A Orr Commissioner
filed in the Cause March the 26th 1894, to
which there are no exceptions and was
argued by Counsel. On consideration
thereof said report is confirmed and it is
adjudged ordered and decreed that G. C.
Elliott, L. B. Quillen and J. F. Haden
who are appointed Commissioners for the
purpose do lay off and assign to Nancy
Rasnick widow of J. J. Rasnick deceased
her dower in the land owned by him
at the time of his death, in this County
and State, ^{and} in said report mentioned, and
They will report their action to the next
term of this Court. And it being suggested
to the Court that there are other debts
against the estate of said J. J. Rasnick decd
not reported by said Comr Orr it is

Ordered that he ascertain and report
any other outstanding debts against
said Estate and their priorities if
any. And this cause is continued

A Copy Test;

AR3 Munsey Clerk

Wm A. Orr, loan's

Giles H. Merriam

Copy - loan
Munsey Parwick
et al

"B"

The Estate of J. N. Grass and To the Credit of

				Dr-
				<u>bal</u> <u>cts</u>
1894	Jan 1	To balance due in acct		1000
"	" 5	" visit self		200
"	" 8	" " "		200
"	" 11	" " "		200
"	" 14	" " "		200
"	" 17	" " "		200
"	" 18	" " "		200
"	" 19	" " "		200
"	" 20	" " "		200

Commonwealth of Virginia

Lee County

Persons came before me Nezeiah Cunningham
a justice of said County the undersigned J. N. Grass
J. N. Grass, and made oath in due form of law
that the above account is true and just this the 9
day of Feb, 1894

Subscribed and sworn to before me the 9th day of
Feb 1894 J. N. Grass
Nezeiah Cunningham, J.

11 - 10 mil
V. 3 acet
2. 4 - me. Est

Allan.

Apr. 1910

This deed made this the 10th day of March, 1897, between E.W.R.. Ewing, Commissioner in the case of J.T. Giles et al vs. Nancy Rasnick et al, in the Circuit court of Lee county, Virginia, and J.B. Rasnick, A.J. Rasnick, G.C. Rasnick and W.L. Rasnick of the second part, Witnesseth that whereas on the day of March, and at the March term of the said court, a decree was rendered in the above cause directing that a deed be made to the parties of the second part to the land in the bill and proceedings mentioned, they having become the beneficial purchasers of the said land, and all the terms of sale having been complied with by the payment of \$75.00 the amount of the bid of the said J.T. Giles by the said parties of the second part, the said Giles having as is shown by the report of the party of the first part transferred his interest in the said bid to David Banner and H.T. Fergusson, and they, having by a writing filed in the papers directed said deed to be made to the said parties of the second part, therefore in consideration of the premises, the said parties of the first part hereby grants, bargains, sells and conveys unto the said parties of the second part, with covenants of special warranty, subject to the dower of the widow, all that part of a certain tract or parcel of land lying and being in Lee county, Va.; the same being the land purchased from William Thomas, and lying mostly in the State of Tennessee, and the county of Hancock, that part hereby conveyed lying in this county, at the time the said suit was brought adjoined lands owned by William Vincel and others, and contains a cres. To have and to hold the said tract or parcel of land unto the said parties of the second part, their heirs and assigns forever, together with all rights and appurtenances thereunto belonging."

Witness the following signature and seal.

E. W. R. Ewing (seal)
Commissioner

Virginia,

Lee county, to wit:

I, James W. Orr, a Commissioner in Chancery for the Circuit court of Lee county and state of Virginia, do certify that E.W.R. Ewing, Commissioner, whose name is signed to the above writing bearing date on this the 10th day of March, 1897, acknowledged the same before me in my county aforesaid.

Given under my hand this the 10th day of March, 1897.

James W. Orr, Commissioner
in Chancery

E. W. R. Ewing,
Commissioner

To } Debt -

W. L. Rasmussen et al.

Know all Men by these Presents, That we E. W. R. Ewing, George H. Blankenship and James W. Orr.

are held and firmly bound unto the Commonwealth of Virginia, in the sum of Two hundred & fifty dollars, to payment whereof, well and truly to be made to the said Commonwealth of Virginia, we bind ourselves and each of us, our and each of our heirs, executors, and administrators, jointly and severally, firmly by these presents, hereby waiving the benefit of our homestead exemptions as to this obligation, and any claim, right, or privilege to discharge any liability arising under this bond, or by virtue of said office or trust, in any currency, funds, counter claims or offsets other than legal-tender currency of the United States. Sealed with our seals, and dated this 17th day of December one thousand eight hundred and Ninety four.

THE CONDITION OF THE ABOVE OBLIGATION IS SUCH, That if the above bound E. W. R. Ewing shall faithfully perform the duties of his office or trust, as Commissioner

under a decree of the Circuit Court of the County of Lee, pronounced on the 14th day of November, 1894, in the suit therein depending under the name and style of G. T. Giles, and W. B. Merriam against Nancy Rusnick

then this obligation to be void, otherwise to remain in full force and virtue.

Signed, sealed and acknowledged in the presence of

E. W. R. Ewing [SEAL.]

George H. Blankenship [SEAL.]

James W. Orr [SEAL.]

In the Clerk's Office of the Circuit Court of the County of Lee.

This day Geo H Blankenship and James W Orr sureties on the above bond, made oath before me A. B. MUNSEY, Clerk of the Circuit Court of the County of Lee, that Their estate after the payment of all their just debts, and those for which They bound as security for others, and expect to have to pay are worth the sum of Two hundred dollars.

Given under my hand this 17th day of December 1894

Teste:

A. B. Munsey

Clerk

A Copy

Teste: A. B. Munsey clk

J T Giles et al

to { COMMISSIONER
BOND.

Commonwealth.
Nancy Rasnick et al

Know all men by these presents that we
J. T. Giles and George W. Blankenship are held
and firmly bound unto the Commonwealth of
Virginia in the just and full sum of
Two hundred dollars, for the payment thereof
well and truly to be made to the said Common-
wealth, we bind ourselves, heirs, executors
and administrators, jointly and severally firmly
by these presents. And we waive the benefit
of our homestead exemption as to this bond.
The condition of the above obligation is such
that whereas E. W. R. Ewing, Commissioner in
the Chancery cause of J. T. Giles & W. B. Merriman
against Nancy Rasmick et al., sold the tract
of land in said cause, ^{decreed to be sold,} at the Feb term, 1895,
of Lee County Court, for the sum of \$62.00
to W. B. Merriman, and the above bound
J. T. Giles having filed his petition in said
cause proposing to make said land on a resale
bring the sum of Seventy five dollars.
Now if the said J. T. Giles shall, on a resale
of said land, make said land bring the sum
of \$75.00 then the above obligation to be void
otherwise to remain in full force and virtue.
Witness our hands and seals, this 6th day of
March 1895.

J. T. Giles *seal*
Geo. W. Blankenship

J. T. Giles et al

Do { Band on Mpet lid
3

The Commonwealth.

James O'Leary
Esq

ENDORSEMENT.

PRESIDENT GARFIELD'S

THOMAS, M.D.

INVALIDS' HOTEL AND SURGICAL INSTITUTE

AND ITS

The following letter, from
pessess, is noteworthy, in
in which Dr. Pierce and the
founded were held by the hands
of the Doctor, intimate friends
was serving as a member of

1894
214
CHILD'S DISEASES
GENERAL PRACTICE
and cont. no. 100

know, and you
one in the
I have, perhaps, higher
other patient under your care, at

Some time since I was in conversation with Congressman
Pierce, of this State, when the following conversation
took place: "You say," said the Major, "that you have
visited Dr. Pierce's medical establishment in Buffalo, New
York." "Yes, sir, I did." "You found everything as
represented?" "Yes, sir, as was represented, and which
I was told to expect from a man who had
founded an institution of the
kind."

During my last visit, I
President Garfield
and took him by the hand and said
"I am so glad to see you," and then
him to me as Dr. Pierce, of Buffalo,
the Doctor by reputation, and having
at once recognized him.

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1892
LAW
Aug 11
1894

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H. F. COLEMAN.

1886.				
S	7	1	21	28
M	8	10	22	29
T	9	11	23	
W	10	12	24	
T	11	13	25	
F	12	14	26	
S	13	15	27	

NO VEMBER.

MEMORANDA THAT WILL
DISPUTES WITH
RESENT

NEIGH

1887.				
S	1	19	27	
M	2	20	28	
T	3	21	29	
W	4	22	30	
T	5	23		
F	6	24		
S	7	25		

\$20⁰⁰ One day after date I Promise to pay
to the order of Mrs. Payne, twenty dollars
per value received of him and I have by
me the benefit of my home & land & everything so
far as this debt is concerned, June 1st 1891
witness my hand and seal.

W. R. Westerson witness

J. J. Payne

Seal

#11⁰⁰ on the north side
green callows
by John G. L. L. L.
at the 16 day
of Sept 1893

Credit the written
note three dollars and
eight cts to my Co-
partners share
the sum of \$3.80

1822

16. birds of 28. Oct

I assign the within
note to J. J. Giles this
23 of March 1874
William Jayne

Virginia: In the Circuit Court of Lee County,
J. T. Miles, H. B. Mezzingars
vs J. Du Chene
Henry Rasnick & others

L. C. J. A. Orr, Clerk in
the above styled Cause do certify that
J. T. Miles deposed & said before me that
there is just and due on the
inclosed and attached note the
sum of \$2.62. This Sept 17th 1874.

J. A. Orr
Clerk.

J. Y. Miles
728 } Not \$2.62
J. J. Rannick

"Dec."

\$100.⁰⁰

One day after date we promise to pay to
the order of William Gayne the full and just
sum of an hundred dollars, value received of
him and we hereby waive the benefit
of our homestead exemption as to this debt.
Given under our hands and seals this
the 25th day of Nov. 1890

J. J. Rozier (seal)

H. J. Young (seal)

W. B. Munman (seal)

Or the within note by cash 1500. Dec 21 1872
by the hand of J. C. Guler. His administrator
by the within note by cash \$1000 of Nov 13 1873
or the within in 34 dollars

This 11 day of Sept 1893

by the hand of J. C. Gallenwaters

1493 or the within in fourteen
dollars & 93 cents this 21

was 1st day of 25
year 1893

May 17 1893
by the hand of J. C. Gallenwaters

I assign the within to W. B. W. W. W.
without receipt Nov. 24 1892
William Payne

Twelve months after date we
bind our selves heirs & assigns and
generally to pay William Payne
Administration of C. S. Crawford
Fifty Six dollars and 10 cents
value received and as to this debt
I each waive our home stead
Exemption Witness our hands and
and seals this 15th day of January
1871

J. J. Ranzhof (seal)
J. J. Giles (seal)

65 The with in
still 30.5^d long
collars and socks
by J. C. Hillenwaters
Adm this 16th
of Sept 1893

7.85 On the with in
seven collars and
eighty pair of
by J. C. Hillenwaters
Adm
this 22 of Feb 1894

J. J. Burwick
to Kate \$56.10

Received of the Hon. the Secy. of the Navy
the sum of \$1000.00 for the purchase of
the U.S.S. Albatross
for the U.S. Fish Commission
at Washington, D.C.
this 1st day of June 1882

Wm. H. Hunt
Comdr. U.S.S. Albatross
U.S. Fish Commission
Washington, D.C.



Net fund from sale of Pawnee Land

\$ 21.25-

Debits reported, Giles. 25.33

" 2.62

" 11.74

39.69 + 5.55-

Mcminan 57.11 - 8.00

Mcneil 26.00 - 3.65-

Banner 28.78 - 4.00-

150.58 \$ 21.25-

(Days 14 per ct.

Giles & Merriam
Memrs

The Commonwealth of Virginia,

To the Sheriff of the County of Lee, Greeting:

WE COMMAND YOU, That you summon *Nancy Rasnick widow of J. J. Rasnick deceased and William Rasnick, Bradley Rasnick, Alexander Rasnick, Lerit Rasnick, Munnis Rasnick, Kitty Rasnick, Etta Rasnick, & Rosa Rosa Rasnick children & heirs at law of the said J. J. Rasnick dead, and C. E. Flannery Administrator of the Estate of the said J. J. Rasnick deceased*

to appear at the Clerk's Office of the Circuit Court of the County of Lee, at the rules to be held for the said Court on the *First* Monday in *February*, 189*4*, to answer a bill in Chancery, exhibited against *them* in our said court by *J. T. Giles & W. B. Munsey*

And have then there this writ. Witness, A. B. MUNSEY, Clerk of our said Court, at the court-house, the *22nd* day of *January*, 189*4*, and in the 11 *8th* year of the Commonwealth.

A Copy Left

A. B. Munsey Clerk.

A. B. Munsey clerk

US.

{ SUBPÆNA
IN CHANCERY.

p. q.

To..... Rules,
Circuit Court.

For Wm Rasnick or
the one that is 21. yrs
old Not executed
William Rasnick
is not 21 years
old & being the
oldest child this
Feb 2-1894.
J. M. Weston L.S.

The Commonwealth of Virginia,

To the Sheriff of the County of Lee, Greeting:

WE COMMAND you, That you summon *Nancy Rasnick widow of J. J. Rasnick deceased William Rasnick, Bradley Rasnick, Alexander Rasnick, Brit Rasnick, Minnie Rasnick, Etta Rasnick & Rosa Rasnick children & heirs at law of the said J. J. Rasnick deceased and C. C. Flannery Administrator of the Estate of the said J. J. Rasnick deceased*

to appear at the Clerk's Office of the Circuit Court of the County of Lee, at the rules to be held for the said Court on the *First* Monday in *February*, 189*4*, to answer a bill in Chancery, exhibited against *Them* in our said court by *J. L. Giles & W. B. Memman*

And have then there this writ. Witness, A. B. MUNSEY, Clerk of our said Court, at the court-house, the *22nd* day of *January* 189*4*, and in the 11 *8th* year of the Commonwealth.

A. B. Munsey Clerk.

J. T. Giles

vs. }

SUBPÆNA
IN CHANCERY.

C. E. Flannery Adm'r et al

James M. Orr p. q.

To 1st February Rules 1894

Circuit Court.

Executed by deliver-
ing a true copy of
the within subpoena
to Nancy Kasnick
not farther executed
there being none of her
children 21 years
old. This Feb 2 1894

J. M. Weston L.R.S.
for C. E. Flannery
S.L.C.

I accept the legal service of the within subpoena
this the 2nd day of Feb'y 1894 - C. E. Flannery, S.L.C.